

Liza B. Balistreri

From: Patrick G. Donnelly [pdonnelly@rdlmlaw.com]
Sent: Monday, August 25, 2008 3:58 PM
To: Liza B. Balistreri
Subject: RE: Heritage Pointe

Liza:

Our offer lapsed. If it didn't, its withdrawn.

I am meeting with my client tomorrow, and I may have another proposal, or I may not, on Wednesday. But the depositions will GO on Thursday.

I am having a disk made of the statements which show the account history. I will receive it Wednesday by fed ex.

Pat

From: Liza B. Balistreri [mailto:lbalistreri@dimontelaw.com]
Sent: Monday, August 25, 2008 3:41 PM
To: Patrick G. Donnelly
Subject: RE: Heritage Pointe

Pat:

I will forward you copies of our records prior to Thursday. None of it should be a surprise and I believe you have most if not all of the documents already. Please email or fax me a notice of deposition so that I can send it to Sandy. Our office is fine for the location. I will take the depositions of Travis Ebbings and Rod Kmetz, and my preference is that we conduct them in the morning. I will send you my notices via email/fax.

My client has advised me that an answer regarding approval of the settlement agreement is expected tomorrow morning. I will let you know as soon as I hear anything.

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From: Patrick G. Donnelly [mailto:pdonnelly@rdlmlaw.com]
Sent: Monday, August 25, 2008 2:41 PM
To: Liza B. Balistreri
Subject: Heritage Pointe

Liza:

Please provide me with copies of any records to will seek to introduce into evidence at the September 4 trial prior to the deposition of Sandy Hannon, tentatively set for August 28.

Also, I will prepare a draft stipulation as ordered by the court—please convey any thoughts on this to me.

I will send you a disk with complete account summaries, and you will receive it tomorrow my federal express.

I there is any additional information or records in issue, please advise.

Pat



10/17/2008